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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.75 OF 2007

Philips Antone Lope & another Petitioners
versus
The Sub Divisional Officer,
Bhiwandi, Dist. Thane & others Respondents

Mr.K.S.Dewal for petitioners.
Mr.C.R.Sonawane, AGP for State.
Mr.K.S.Patil for respondent no.6.

CORAM : A.S.OKA, J.

DATE : 24th April 2007

PC :

1. The learned AGP has tendered an additional affidavit-in-reply of Shri Dnyaneshwar Krishna Patil, Circle Officer, Vasai.

2. The petitioner has alleged that in breach of an interim order dated 18th August 2003 passed in Writ Petition No.2839 of 2003, a mutation entry was made in the revenue records. The third respondent has filed an affidavit in reply dated 20th April 2007. In the said affidavit it is stated that by an order dated 9th April 2007, the Sub Divisional Officer, Bhivandi has passed a

MST

direction by which Mutation Entry No.1994 has been cancelled. By the said order, the Sub Divisional Officer has directed that the entry of the interim order granted by this Court shall be taken in the other rights column of 7/12 extract and the order of this Court should be implemented.

3. In the further affidavit of the third respondent tendered today an unconditional apology has been tendered.

4. It is obvious that the concerned authorities have acted in breach of an interim order passed by this Court on 18th August 2006. However, in view of the subsequent order dated 9th April 2007 and the apology tendered today, no further steps are required to be taken against the concerned respondents under the Contempt of Courts Act, 1971. Accordingly, notice issued to the concerned respondents is discharged. Contempt Petition is disposed of.

(A.S.OKA, J.)